



OFFICE OF THE PUBLIC AUDITOR

July 20, 2004

Honorable Madeline Z. Bordallo, M. C.
United States House of Representatives
427 Cannon Building
Washington DC 20515

Fax 202 226-0341

Dear Congresswoman:

Enclosed for your information is a letter that I have sent to the Committee on Resources in support of the Guam War Claims Commission Report.

I would appreciate it if you would share a copy of the letter with B. J. prior to the hearing.

This appears to be our last best chance to gain what our people have so long deserved and I wish you success in bringing the necessary bill to passage.

Senseramente,

DORIS FLORES BROOKS, CPA, CGFM.
Public Auditor of Guam



OFFICE OF THE PUBLIC AUDITOR

July 20, 2004

Via email to resources.committee@mail.house.gov

The Honorable Richard W. Pombo
Chairman, Committee on Resources
United States House of Representatives
1324 Longworth Building
Washington DC. 20515

Dear Mr. Chairman:

As the elected Public Auditor of Guam, I am pleased to give my unqualified support to the Report the Guam War Claims Review Commission submitted in June to you and your committee.

In my opinion, the members of the Commission diligently reviewed the history of war claims and reparations as they applied to Guam and in comparison to the manner in which they were allotted to other victims of World War II. They have presented to the Congress an accurate assessment of facts that must be considered in determining how to fairly compensate Guam's victims and their survivors at this late date.

The Commission's report echoes in many respects Report 107-172 filed June 24, 2002 by the Senate Committee on Energy and Natural Resources on the Guam War Claims Review Commission Act. Particularly illuminating is the Senate Committee's statement that:

In view of the patchwork of war claims laws, which provided different treatment for different groups of persons at different times, H. R. 308 is needed to examine whether the relief provided to the residents of Guam was on a par with that provided to similarly affected United States citizens or nationals in other areas occupied by the military forces of the Empire of Japan.

It is unquestioned that there was disparate treatment and that the indigenous population of Guam was in each instance the group that was adversely affected by the decisions of the governing authority.

A glaring disparity occurred when the United States consented in the Multilateral Treaty of Peace with Japan¹ to waive all reparation claims against Japan. In the

¹ 3 UST 3169.

The Honorable Richard W. Pombo
July 20, 2004
Page 2 of 3

same treaty, the allied powers provided for Japan to pay reparations to "members of the Armed Forces of the Allied Powers who suffered undue hardships while prisoners of war of Japan."

Yet what were the people of Guam but "prisoners of war" during the 32 months that the military forces of Japan occupied the island? As the Commission notes at page 71 of its report, "[T]he Japanese occupation of Guam was particularly cruel, oppressive, and brutal, and that the loyalty and steadfastness shown by the people of Guam in the face of the atrocities and barbarism inflicted on them by their Japanese occupiers was all the more extraordinary in the circumstances in which they were forced to live."

The stories that my mother, the late Margarita Castro Flores, and my stepmother, the late Carmen Candaso Flores, told me of their experiences during the occupation have inscribed indelibly on my consciousness the pain and punishment they and other Chamorros suffered. My mother was beaten because she would not cook dog for the occupiers; my stepmother, who was lame, was beaten because she did not march fast enough to the fields to toil as a farmhand.

As nationals, but not citizens of the United States from 1898 until 1950, the people of the island were wards of the United States and in negotiating the treaty of peace the United States should have protected the interests of the island's indigenous population. Yet issues of international politics and national defense took precedence over the fiduciary duty that the United States owed its wards.

George Kennan, the noted American diplomat, wrote that the nation's policy of containment of communism made it imperative that the peace treaty with Japan be "brief, general and nonpunitive." He said also that it was the national policy that, "Reparations should be generally halted, the opposition of the other Far Eastern Commission powers notwithstanding."²

The basis for the American position was, Mr. Kennan wrote, that "Japan, as we saw it, was more important than China as a potential factor in world-political developments. It was, as I have already observed, the sole great potential military-industrial arsenal of the Far East."³

Thus rather than assure the welfare and rehabilitation of the people of Guam from the ravages of the savage war just concluded, the Great Powers of the West focused on restoring Japan as a bulwark against the advance of communism.

² George F. Kennan, *Memoirs 1925-1950*, 391 (Pantheon Books 1967).

³ *Id.*, 374.

The Honorable Richard W. Pombo

July 20, 2004

Page 3 of 3

As a result, Japan was quickly restored to its prominence as a major international power and when possession of Okinawa was reverted to Japan in 1972, it was returned complete with the amenities of a modern society, including highways, railways and public utilities paid for in large part by American aid.

Largess of a similar nature was never the lot of the people of Guam, either as victimized individuals or as a government in need of assistance. While the federal government did help restore the island after natural disasters, such as Typhoons Karen, Pamela and more recent storms, it did not rebuild the island as it did Japan.

Given the loyalty the people of this island have given the United States for more than 100 years, and particularly during the 32 months when Guam was occupied, it is due time that the Congress honor the nation's moral obligation to compensate Guam's victims of World War II.

Respectfully,

A handwritten signature in black ink, appearing to read 'Doris Flores Brooks', written in a cursive style.

DORIS FLORES BROOKS, CPA, CGFM,
Public Auditor of Guam